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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Susanne Crockett et al.
Appln. No.: 10/027,224
Filed: December 20, 2001
For: Method and System for Providing Call Forwarding
Information to a Calling Party

Examiner: Karen L. Le

Art Unit: 2614

Attorney Docket No: 8285/461

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Check for \$450 to cover extension fee; Transmittal Cover Letter (1p. Filed in Dup.); Notice of Appeal (1p. Filed in Dup.); Pre-Appeal Brief Request for Review (5pp.); Corrected Listing of Claims (6pp.); Petition for 2 Mo. Ext. of Time (2pp. Filed in Dup.)
☒ Return Receipt Postcard.

Fee calculation:

- ☐ No additional fee is required.
☐ Small Entity.
☒ An extension fee in an amount of \$450 for a 2-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☒ Check in the amount of \$450 is enclosed.
☒ Please charge Deposit Account No. 23-1925 in the amount of \$500. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date July 26, 2006

Respectfully submitted,

Vincent J. Gnoffo
Vincent J. Gnoffo (Reg. No. 44,714)

Date of Deposit: July 26, 2006

In re Application of:

Serial No. 10/027,224

Filing Date: December 20, 2001

For: METHOD AND SYSTEM FOR
PROVIDING CALL FORWARDING
INFORMATION TO A CALLING PARTY

Examiner: Karen L. Le

Group Art Unit No. 2614

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants request review of the final rejection that was mailed March 22, 2006 in the above-identified application. No amendments to the claims are being filed with this request.

This request is being filed with a notice of appeal

The review is requested for the reasons stated on the attached sheets. No more than five (5) pages are provided.

I. Introduction

Claims 1, 4-11 and 14-24 are pending in the application. In the Office Action dated March 22, 2006, the Office Action maintained the rejection of claims 1, 4-11 and 14-24 under 35 U.S.C. § 103(a) as being unpatentable over Gilbert et al. (U.S. Patent No. 6,795,530) in view of Culli et al. (U.S. Patent No. 6,304,641). Additionally, the Office Action maintained the rejection of claims 10 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Gilbert et al. and Culli et al. in view of Kim (U.S. Patent No. 6,584,188).

II. The Office Action does not correctly address missing elements of the claims

The pending claims recite providing a forwarding number to a calling party if the calling party is authorized to receive the forwarding number, otherwise providing an alternate message. In this way, people that wish to change their number, such as the victims of stalkers, can provide the new number to some people but maintain the new number in secret from others. The claimed feature is not disclosed or suggest by any of the cited references.

A. Claim 1

Pending independent claim 1 recites a method for providing an announcement to a calling party when the calling party calls a disconnected telephone number comprising "providing the first announcement to the calling party if the calling party is authorized" "wherein the first announcement comprises a forwarding number of the called party" and "providing an alternate announcement if the calling party is not authorized."

Gilbert et al. discloses a system and method for providing customized announcements to callers based on the called party telephone number and the calling party telephone number. When an incoming call is answered by a personal communications service, the system checks a database to determine whether or not the subscriber has identified that calling party number as a number that receives a personalized greeting. If the calling party number is in the database, the system plays the specific greeting selected by the subscriber for that specific caller or group of

callers. The Office Action correctly states that Gilbert et al. does not disclose or suggest providing a forwarding number to authorized callers, and otherwise providing an alternate message.

Culli et al. fails to fill the gap. The embodiment of Culli et al. discloses a call forwarding system for an advanced intelligent network telecommunications environment. A calling party places a call which attempts to contact the destination by dialing an old telephone number of the called party. Upon recognizing that the calling party has called a telephone number which has been changed, the call is forwarded with a three digit code to a hub switch. The system can determine whether the calling party has elected to pay for forwarding the call to the new telephone number. See Col. 5, ll. 20-25. The call is completed if either the called party or the calling party has elected to pay for forwarding the call. The embodiment of Culli et al. does not disclose or suggest a method for providing a forwarding number if the caller is authorized, otherwise providing an alternate announcement.

The Office Action states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Culli's feature into Gilbert's system to play announcement to callers who call a disconnected telephone number. Office Action, pg. 3. The Office Action states that "[o]bviously, there may [be] different scenarios when announcement are played to callers, and calling a disconnected telephone number is simply one of many know scenarios." The Office Action seems to ignore that the claimed feature of providing a forwarding number to a calling party if the calling party is authorized to receive the forwarding number, otherwise providing an alternate message is completely missing from both references. For at least this reason, Applicants respectfully request review of the final rejection directed against the current application and withdrawal of the rejections against the claims.

B. Claim 11

Pending independent claim 11 recites a telecommunication system for providing an announcement to a calling party in which a "first announcement is provided to the calling party if the calling party is authorized by the called party to receive the first announcement, wherein the first announcement comprises a forwarding number of the

called party". Also, "an alternate announcement is provided if the calling party is not authorized by the called party to receive the first announcement".

As described above, neither reference, alone or in combination, discloses or suggests such features. For at least this reason, Applicants respectfully request review of the final rejection directed against the current application and withdrawal of the rejections against the claims.

C. Claim 21

Pending independent claim 21 recites a method for providing an announcement to a calling party when the calling party calls a disconnected telephone number that includes providing call forwarding information "if the calling party is authorized by the called party" and "otherwise providing an announcement".

As described above, neither reference, alone or in combination, discloses or suggests such features. For at least this reason, Applicants respectfully request review of the final rejection directed against the current application and withdrawal of the rejections against the claims.

III. There is No Motivation for the Proposed Combination of References

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. MPEP 2143.01.

Applicants maintain that it would not have been obvious to incorporate the features of Culli et al. with the system of Gilbert et al. The system of Culli et al. discloses an embodiment for allowing a calling party or a called party to pay to have calls directed to a disconnected number forwarded to a new number. The embodiment of Culli et al. does not disclose that the called party can determine whether a called party is authorized to learn of the new number, such as with a specialized announcement. The system discloses forwarding calls without providing specialized announcements based on a phone number of the calling party.

Gilbert et al. discloses a system for providing customized messages based on a calling number of a party. Unlike Culli et al., the calling number is an active number,

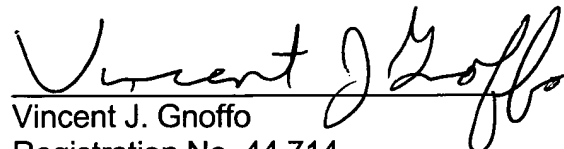
and not one that has been disconnected. Gilbert et al. does not teach using the customized announcement system with disconnected number. When a calling party calls the system of Gilbert et al., no customized message would be played.

There is no motivation to combine the customized announcement system of Gilbert et al., which provides customized announcements for calls to active numbers, with the call forwarding system of Culli et al., which forwards the call to a new number and does not provide messages based on a number of the calling party. There is no explicit or implicit teaching in either reference to combine the disclosed systems. Indeed, while both systems generally relate to telecommunication systems, the specific disclosed systems being described are very different.

IV. Conclusion

Kim further fails to cure the deficiencies of Gilbert et al. and Culli et al. in each of the proposed combination of references contemplated by the Office Action. For at least the above reasons, Applicants respectfully request review of the final rejection directed against the current application and withdrawal of the rejections against the claims.


Respectfully submitted,



Vincent J. Gnoffo
Registration No. 44,714
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

~~Date of Deposit:~~ July 26, 2006



In re Application of:

Serial No. 10/027,224

Examiner: Karen L. Le

Group Art Unit No. 2642

**Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

In reply to the Notice of Non-Compliant Amendment mailed with the Office Action dated March 22, 2006, the following is a correct listing of the claims. Claim 22 was meant to be cancelled.

Listing of claims:

1. (Previously presented) A method for providing an announcement to a calling party when the calling party calls a disconnected telephone number of a called party, the method comprising:

determining a telephone number of a calling party that attempts to call a disconnected telephone number of the called party;

determining, in accordance with at least a portion of the telephone number of the calling party, whether the calling party is authorized to receive a first announcement;

providing the first announcement to the calling party if the calling party is authorized by the called party to receive the first announcement, wherein the first announcement comprises a forwarding number of the called party; and

providing an alternate announcement if the calling party is not authorized by the called party to receive the first announcement.

2. (Cancelled)

3. (Cancelled)

4. (Previously presented) The method according to claim 1 wherein the at least a portion of the telephone number includes an area code of the calling party.

5. (Original) The method according to claim 4 wherein the at least a portion of the telephone number further includes at least three digits of the telephone number of the calling party.

6. (Previously presented) The method according to claim 1 wherein the telephone number comprises information about calling parties that are authorized to receive the first announcement.

7. (Previously presented) The method according to claim 1 wherein the telephone number comprises information about calling parties that are not authorized to receive the first announcement.

8. (Original) The method according to claim 1 wherein the first announcement is provided by an announcement server.

9. (Original) The method according to claim 8 further including providing a connection from the calling party to the announcement server.

10. (Previously presented) The method according to claim 1 further comprising providing a call log of the disconnected telephone number to the called party.

11. (Previously presented) A telecommunications system for providing an announcement to a calling party when the calling party calls a disconnected telephone number of a called party, the system comprising:

a service control point, wherein the service control point determines a telephone number of the calling party attempting to call a disconnected telephone number of the called party and determines, in accordance with at least a portion of the telephone number of the calling party, whether the call party is authorized to receive a first announcement;

wherein the first announcement is provided to the calling party if the calling party is authorized by the called party to receive the first announcement, wherein the first announcement comprises a forwarding number of the called party; and

an alternate announcement is provided if the calling party is not authorized by the called party to receive the first announcement.

12. (Cancelled)

13. (Cancelled)

14. (Previously presented) The system according to claim 11 wherein the at least a portion of the telephone number includes an area code of the calling party.

15. (Original) The system according to claim 14 wherein the at least a portion of the telephone number further includes at least three digits of the telephone number of the calling party.

16. (Previously presented) The system according to claim 11 wherein the telephone number comprises information about calling parties that are authorized to receive the first announcement.

17. (Previously presented) The system according to claim 11 wherein the telephone number comprises information about calling parties that are not authorized to receive the first announcement.

18. (Original) The system according to claim 11 further including an announcement server, wherein the announcement server provides the first announcement.

19. (Original) The system according to claim 18 further including a switch, wherein the switch provides a connection from the calling party to the announcement server.

20. (Previously presented) The system according to claim 11 further comprising a call log of the disconnected telephone number to be provided to the called party.

21. (Previously presented) A method for providing an announcement to a calling party when the calling party calls a disconnected telephone number of a called party, the method comprising:

- receiving a call from a calling party to a disconnected telephone number of a called party;

- determining a telephone number of the calling party;

- determining from at least a portion of the telephone number whether the calling party is authorized to receive call forwarding information of the called party; and

- if the calling party is authorized by the called party, providing call forwarding information of the called party, otherwise providing an alternate announcement.

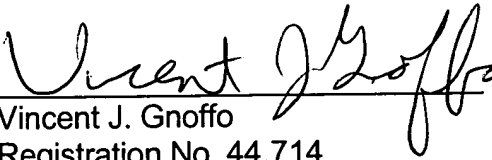
22. (Cancelled)

23. (Original) The method according to claim 21 wherein the act of determining comprises determining whether the calling party is listed on an accept list.

24. (Original) The method according to claim 21 wherein the act of determining comprises determining whether the calling party is listed on a reject list.

Applicants respectfully request entry of this corrected listing of claims along with the accompanying Notice of Appeal and Pre-Appeal Brief.

Respectfully submitted,


Vincent J. Gnoffo
Registration No. 44,714
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200